

REMARKS

The non-final Office Action dated June 24, 2009, has been carefully reviewed and the following remarks are responsive thereto. The abstract, drawings and claim 6 have been amended as described below in the section entitled "Abstract", "Drawings" and "Claim objections".

No new matter has been added.

Claims 1-16 remain pending upon entry of the present amendment. Reconsideration and allowance are respectfully requested.

Claim Rejections - 35 USC §102

Claims 11-12 are rejected under 35 U.S.C. 102 (e) by *Maes* (Patent No.: US 6,934,756 B2). The applicants respectfully disagree for the following reasons.

To anticipate a claim, a single reference must disclose each element of that claim. A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. See, e.g., *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983). Anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference. See e.g., *In re Paulsen*, 30 F.3d 1475, 31 USPQ 2d 1671 (Fed. Cir. 1994); *In re Spada*, 911 F.2d 705, 15 USPQ 2d 1655 (Fed. Cir. 1990).

Claim 11 provides:

"A method for fast processing real-time media stream data package, employed in a network system comprising media gateway, IAD and IP multimedia terminal, comprising the following steps of:

in the direction of receiving, using an IP data package fast filter module to replace a TCP/IP protocol stack data receiving process function set and SOCKET receiving process; and
in the direction of sending, using a UDP fast sending module to replace a TCP/IP protocol stack data sending process function set and SOCKET sending process."

The applicants respectfully submit that *Maes* does not disclose or suggest each and

every element of claim 11 of the present invention. For example, the element: "in the direction of receiving, using an IP data package fast filter module to replace a TCP/IP protocol stack data receiving process function set and SOCKET receiving process" is not found in *Maes*. *Maes* does **not** involve any concept of **replacing** "a TCP/IP protocol stack data receiving process function set and SOCKET receiving process" with "an IP data package fast filter module".

First of all, from claim 11 of the present invention, it can be seen that the recited IP data package fast filter module is a fast filter module for fast filtering IP data package to realize fast processing real-time media stream data package. However, there is **not** such an IP data package fast filter module in *Maes*. Referring to FIG.2a of *Maes*, "a block diagram of an encoding portion 200 of a RECOVC codec according to one embodiment, optionally coupled with a speech recognition engine 201 (located on e.g., a client device) for *converting input speech into text*" is depicted (column 15, lines 48-52 of *Maes*). From FIG. 2a of *Maes*, it can be clearly seen that the window/filter module 204 is used for filtering signals during analog-to-digital (A/D) conversion to realize digital signal processing (DSP), but **not** for fast filtering IP data package to realize fast processing real-time media stream data package. Thus, compared to the window/filter module 204 in *Maes*, what the fast filter module in claim 11 of the present invention processes is completely different. In other words, the technical field in which the fast filter module in claim 11 of the present invention is being used is completely different from the technical field in which the window/filter module 204 in *Maes* is being used.

Additionally, in claim 11 of the present invention, the TCP/IP protocol stack data receiving process function set and SOCKET receiving process is replaced by the IP data package fast filter module to fast filter IP data package. In contrast to the method for fast processing real-time media stream data package defined in claim 11 of the present invention, *Maes* does **not** disclose that the window/filter module 204 is used for **replacing** the TCP/IP protocol stack data receiving process function set and SOCKET receiving process to fast filter

IP data package.

From the above, it can be seen that the IP data package fast filter module recited in claim 11 of the present invention is not equivalent to the window/filter module disclosed by *Maes*, since the IP data package fast filter module in claim 11 is used in a different technical field and realizes different functions and achieves different technical effects.

For at least the above reasons, the technical scheme defined by claim 11 of the present invention is different from that disclosed by *Maes*.

Since *Maes* does not disclose or suggest each and every element of the applicant's claimed invention, claim 11 should be allowed over the cited reference. Accordingly, reconsideration and withdrawal of the rejection of this claim are respectfully requested.

Moreover, the technical scheme defined by claim 11 of this application not only possesses novelty, but also possesses inventiveness relative to *Maes*.

Claim 12 depends on independent claim 11. Thus at least for the reasons mentioned above in regard to independent claim 11, claim 12 should be allowable. Accordingly, reconsideration and withdrawal of the rejection of this claim are also respectfully requested.

Allowable Subject Matter

The Office Action admits that claims 1-10 and 13-16 would be allowable with the resolution of the following, since the closest art *Maes* failed to anticipate or render obvious the limitation of these claims.

Abstract

The abstract of the disclosure is objected to because it repeated information given in the title and it exceeds 150 words in length. The abstract has been amended. Accordingly, the applicants respectfully request this objection be withdrawn.

Drawings

The Office Action asserts that Figures 3-5 should be retyped to allow the required typing to be within the required blocks.

The drawings have been retyped to allow the required typing to be within the required blocks. Accordingly, the applicants respectfully request this objection be withdrawn.


Claims Objections

Claim 6 is objected to because of informalities. As shown by the present amendment, the wordings "method for fast processing real-time media stream data package by using the system of claim 1" in lines 1-2 of claim 6 has been amended to "method for fast processing real-time media stream data package". Accordingly, Applicants respectfully request this objection be withdrawn.

CONCLUSION

With the amendments presented herein, it is believed that all the claims remaining in the Application are in condition for allowance. Early and favorable action in this regarding is hereby respectfully requested. Should there be any minor informalities remaining, the Examiner is respectfully requested to call the undersigned attorney so that this case may be passed to issue at an early date.

Respectfully submitted,


James W. Kayden; Reg. No.: 31,532

THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.
Suite 1500
600 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500